

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HYDE OF ILLINOIS, OR HIS
DESIGNEE, DEBATABLE FOR 20 MINUTES:

AMENDMENT TO H.R. 3199
OFFERED BY MR. HYDE OF ILLINOIS

Add at the end the following:

1 **SEC. ____ PROHIBITION OF NARCO-TERRORISM.**

2 Part A of the Controlled Substance Import and Ex-
3 port Act (21 U.S.C. 951 et seq.) is amended by inserting
4 after section 1010 the following:

5 "NARCO-TERRORISTS WHO AID AND SUPPORT

6 TERRORISTS OR FOREIGN TERRORIST ORGANIZATIONS

7 "SEC. 1010A. (a) PROHIBITED ACTS.—Whoever, in
8 a circumstance described in subsection (c), manufactures,
9 distributes, imports, exports, or possesses with intent to
10 distribute or manufacture a controlled substance,
11 flunitrazepam, or listed chemical, or attempts or conspires
12 to do so, knowing or intending that such activity, directly
13 or indirectly, aids or provides support, resources, or any-
14 thing of pecuniary value to—

15 "(1) a foreign terrorist organization; or

16 "(2) any person or group involved in the plan-
17 ning, preparation for, or carrying out of, a terrorist
18 offense, shall be punished as provided under sub-
19 section (b).



1 “(b) PENALTIES.—Whoever violates subsection (a)
2 shall be fined under this title, imprisoned for not less than
3 20 years and not more than life and shall be sentenced
4 to a term of supervised release of not less than 5 years.

5 “(c) JURISDICTION.—There is jurisdiction over an of-
6 fense under this section if—

7 “(1) the prohibited drug activity or the terrorist
8 offense is in violation of the criminal laws of the
9 United States;

10 “(2) the offense or the prohibited drug activity
11 occurs in or affects interstate or foreign commerce;

12 “(3) the offense, the prohibited drug activity or
13 the terrorist offense involves the use of the mails or
14 a facility of interstate or foreign commerce;

15 “(4) the terrorist offense occurs in or affects
16 interstate or foreign commerce or would have oc-
17 curred in or affected interstate or foreign commerce
18 had it been consummated;

19 “(5) an offender provides anything of pecuniary
20 value to a foreign terrorist organization;

21 “(6) an offender provides anything of pecuniary
22 value for a terrorist offense that is designed to influ-
23 ence the policy or affect the conduct of the United
24 States government;



1 “(7) an offender provides anything of pecuniary
2 value for a terrorist offense that occurs in part with-
3 in the United States and is designed to influence the
4 policy or affect the conduct of a foreign government;

5 “(8) an offender provides anything of pecuniary
6 value for a terrorist offense that causes or is de-
7 signed to cause death or serious bodily injury to a
8 national of the United States while that national is
9 outside the United States, or substantial damage to
10 the property of a legal entity organized under the
11 laws of the United States (including any of its
12 States, districts, commonwealths, territories, or pos-
13 sessions) while that property is outside of the United
14 States;

15 “(9) the offense occurs in whole or in part with-
16 in the United States, and an offender provides any-
17 thing of pecuniary value for a terrorist offense that
18 is designed to influence the policy or affect the con-
19 duct of a foreign government;

20 “(10) the offense or the prohibited drug activity
21 occurs in whole or in part outside of the United
22 States (including on the high seas), and a perpe-
23 trator of the offense or the prohibited drug activity
24 is a national of the United States or a legal entity
25 organized under the laws of the United States (in-



1 cluding any of its States, districts, commonwealths,
2 territories, or possessions); or

3 “(11) after the conduct required for the offense
4 occurs an offender is brought into or found in the
5 United States, even if the conduct required for the
6 offense occurs outside the United States.

7 “(d) PROOF REQUIREMENTS.—The prosecution shall
8 not be required to prove that any defendant knew that
9 an organization was designated as a ‘foreign terrorist or-
10 ganization’ under the Immigration and Nationality Act.

11 “(e) DEFINITIONS.—In this section, the following
12 definitions shall apply:

13 “(1) ANYTHING OF PECUNIARY VALUE.—The
14 term ‘anything of pecuniary value’ has the meaning
15 given the term in section 1958(b)(1) of title 18,
16 United States Code.

17 “(2) TERRORIST OFFENSE.—The term ‘ter-
18 rorist offense’ means—

19 “(A) an act which constitutes an offense
20 within the scope of a treaty, as defined under
21 section 2339C(e)(7) of title 18, United States
22 Code, which has been implemented by the
23 United States;

24 “(B) any other act intended to cause death
25 or serious bodily injury to a civilian, or to any



1 other person not taking an active part in the
2 hostilities in a situation of armed conflict, when
3 the purpose of such act, by its nature or con-
4 text, is to intimidate a population, or to compel
5 a government or an international organization
6 to do or to abstain from doing any act.

7 “(3) **TERRORIST ORGANIZATION.**—The term
8 ‘terrorist organization’ has the meaning given the
9 term in section 212(a)(3)(B)(vi) of the Immigration
10 and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)).”.

